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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

HANNETT, JAMES M

ART UNIT	PAPER NUMBER
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2612

3

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,388

Applicant(s)

LOPAZ, PATRICIA D.

Examiner

James M Hannett

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Digital camera that can transmit images to one or more specified destination.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 1: Claims 1, 2, 4, 5, 7-24, 26, 28-38, 40, 42-47 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,715,003 Safai.
- 2: As for Claim 1, Safai teaches on Column 11, Lines 6-11 a method for the sharing of digital images comprising the steps of: creating an image intent file (address image); transferring the image intent file to an image capture device; Safai teaches on Column 7, Lines 37-43 capturing a digital image; and sharing the digital image as specified in the image intent file when at least one intent object has been selected from the image intent file. Column 10, Lines 45-67.
- 3: In regards to Claim 2, Safai teaches on Column 6, Lines 15-17 the transferring step uses at least one infrared transmitter and at least one infrared receiver.
- 4: In regards to Claim 4, Safai teaches on Column 11, Lines 6-12 wherein the intent file is created or edited on a device that is not the digital camera. It is inherent that the device be an electronic device

Art Unit: 2612

5: As for Claim 5, Safai teaches on Column 6, Lines 11-21 the sharing step includes downloading the digital image to a computer from the image capture device using wireless technology.

6: As for Claim 7, Safai teaches on Column 15, Lines 23-26 the sharing step is initiated by the computer.

7: In regards to Claim 8, Safai teaches on Column 15, Lines 27-32 and Column 6, lines 11-15 the sharing step includes downloading image and intent information (address information) from the image capture device (camera) to an electronic device (server) through a cable (telephone line).

8: As for Claim 9, Safai teaches on Column 15, Lines 23-32 the sharing step is initiated by the connection of the cable (telephone line) between the image capture device (camera) and the electronic device (server). The first step for transferring the image data to the server requires the telephone line to be connected.

9: In regards to Claim 10, Safai teaches on Column 15, Lines 23-26 the sharing step is initiated by the computer; the examiner views the computer as the electronic device.

10: As for Claim 11, Safai teaches on Column 3, Lines 35-39 the sharing step includes transferring image and intent information (address information) from the image capture device (camera). Safai teaches on Column 6, lines 18-21 that he specific communications port is not critical. Furthermore, Safai teaches on Column 1, Lines 53-58 that it was well known to transfer image files to a personal computer by means of removable memory card.

11: In regards to Claim 12, Safai teaches on Column 1, lines 58-64 the computer can read images stored in a memory card. The first step for transferring the image data to the computer

Art Unit: 2612

requires the memory card to be connected to the computer. Therefore, the sharing step is initiated by the insertion of the removable memory card.

12: As for Claim 13, Safai teaches on Column 10, lines 54-55 the image intent file (address information) contains at least one modem object. The modem object is viewed as the telephone number that will be dialed by the modem.

13: In regards to Claim 14, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one person object. The person object is viewed as the name and physical address.

14: As for Claim 15, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one computer object. The computer object is viewed as an e-mail address.

15: In regards to Claim 16, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one printer object. The printer object is viewed as the fax number since the fax will cause a print operation to occur.

16: As for Claim 17, Safai teaches on Column 10, lines 49-51 the image intent file (address information) contains at least one target object. A target object is viewed by the examiner as the page from an address book.

17: In regards to Claim 18, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one storage object. The e-mail address causes the image to be sent to an e-mail account. This causes the image to be stored in a remote computer. Therefore, the e-mail address is viewed as being a storage object.

Art Unit: 2612

18: As for Claim 19, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one email object.

19: In regards to Claim 20, Safai teaches on Column 7, lines 1-4 the image intent file (address information) contains at least one I-frame object. An I-frame object has been interpreted by the examiner as a device that can view an image. The examiner views the personal computer in Safai as an I-frame device.

20: As for Claim 21, Safai teaches on Column 16, lines 30-32 the image intent file (address information) contains at least one web page object. Safai teaches that the images can be sent to a web-site. Therefore, the address contains a web page object.

21: In regards to Claim 22, Safai teaches on Column 6, Lines 1-21 an image capture system comprises: a memory (212); a receiver (214) coupled with the memory (212) capable of receiving an image intent file (address information) Column 11, Lines 6-11; a display (108) coupled with the memory (212) capable of displaying objects contained within the image intent file (address information), Column 8, Lines 40-56; Safai teaches a control coupled with the display (108) and the memory (212) allowing the selection of at least one of the displayed objects from the display (108); Column 10, Lines 59-67.

22: As for Claim 23, Safai teaches on Column 1, Lines 54-58 and Column 3, Lines 35-39 a removable memory coupled with the memory and the control, capable of storing at least one image and at least one of the objects (address). Safai teaches that the image data and address data are stored in memory together.

23: In regards to Claim 24, Safai teaches on Column 3, Lines 35-39 a transmitter coupled with the memory and the at least one control, capable of transmitting at least one image and at

Art Unit: 2612

least one of the objects to an electronic device. Safai teaches transferring image and intent information (address information) from the image capture device (camera). Safai teaches on Column 6, lines 18-21 that the specific communications port is not critical.

24: In regards to Claim 26, Safai teaches on Column 6, Lines 15-1 the transmitter is an infrared transmitter.

25: In regards to Claim 28, Safai teaches on Column 10, lines 54-55 the image intent file (address information) contains at least one modem object. The modem object is viewed as the telephone number that will be dialed by the modem.

26: As for Claim 29, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one person object. The person object is viewed as the name and physical address.

27: In regards to Claim 30, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one computer object. The computer object is viewed as an e-mail address.

28: As for Claim 31, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one printer object. The printer object is viewed as the fax number since the fax will cause a print operation to occur.

29: In regards to Claim 32, Safai teaches on Column 10, lines 49-51 the image intent file (address information) contains at least one target object. A target object is viewed by the examiner as the page from an address book.

30: As for Claim 33, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one storage object. The e-mail address causes the image to be sent

Art Unit: 2612

to an e-mail account. This causes the image to be stored in a remote computer. Therefore, the e-mail address is viewed as being a storage object.

31: In regards to Claim 34, Safai teaches on Column 10, lines 53-58 the image intent file (address information) contains at least one email object.

32: As for Claim 35, Safai teaches on Column 7, lines 1-4 the image intent file (address information) contains at least one I-frame object. An I-frame object has been interpreted by the examiner as a device that can view an image. The examiner views the personal computer in Safai as an I-frame device.

33: In regards to Claim 36, Safai teaches on Column 16, lines 30-32 the image intent file (address information) contains at least one web page object. Safai teaches that the images can be sent to a web-site. Therefore, the address contains a web page object.

34: As for Claim 37, Safai teaches on Column 11, Lines 6-11 teaches an image capture system comprising: means for creating an image intent file (address image); means for transferring the image intent file to an image capture device; Column 7, Lines 37-43. Safai teaches means for capturing a digital image (CCD); and means for sharing the digital image as specified in the intent file when at least one intent object has been selected from the image intent file; Column 10, Lines 45-67.

35: In regards to Claim 38, Safai teaches on Column 6, Lines 15-17 the means for transferring uses at least one infrared transmitter and at least one infrared receiver.

36: In regards to Claim 40, Safai teaches on Column 6, Lines 11-21 the means for sharing includes downloading the digital image to a computer from the image capture device using wireless technology.

Art Unit: 2612

37: In regards to Claim 42, Safai teaches on Column 15, Lines 23-26 the means for sharing is activated by the computer.

38: As for Claim 43, Safai teaches on Column 15, Lines 27-32 and Column 6, lines 11-15 the sharing step includes downloading image and intent information (address information) from the image capture device (camera) to an electronic device (server) through a cable (telephone line).

39: In regards to Claim 44, Safai teaches on Column 15, Lines 23-32 the sharing step is initiated by the connection of the cable (telephone line) between the image capture device (camera) and the electronic device (server). The first step for transferring the image data to the server requires the telephone line to be connected.

40: As for Claim 45, Safai teaches on Column 15, Lines 23-26 the sharing step is initiated by the computer; the examiner views the computer as the electronic device.

41: In regards to Claim 46, Safai teaches on Column 3, Lines 35-39 the sharing step includes transferring image and intent information (address information) from the image capture device (camera). Safai teaches on Column 6, lines 18-21 that the specific communications port is not critical. Furthermore, Safai teaches on Column 1, Lines 53-58 that it was well known to transfer image files to a personal computer by means of removable memory card.

42: As for Claim 47, Safai teaches on Column 1, lines 58-64 the computer can read images stored in a memory card. The first step for transferring the image data to the computer requires the memory card to be connected to the computer. Therefore, the sharing step is initiated by the insertion of the removable memory card.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

43: Claims 3, 6, 25, 27, 39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,715,003 Safai.

44: As for Claim 3, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

45: In regards to Claim 6, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Art Unit: 2612

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

46: As for Claim 25, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

47: As for Claim 27, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Art Unit: 2612

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

48: As for Claim 39, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

49: As for Claim 41, Safai teaches that the transferring step can be performed by using infrared transition. However, Safai does not give specifics of the IR transition step and does not specifically teach that the transition is initiated by the proximity of the infrared transmitter to the infrared receiver crossing a proximity threshold.

Art Unit: 2612

Official notice is taken that it was well known in the art at the time the invention was made to design IR transmitters to initiate transition only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the IR transition in the camera of Safai only after the signal strength has reached a predetermined threshold in order to avoid signal loss do to a low signal to noise ratio.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,400,903 Conoval teaches a camera that can transmit images; USPN 6,642,959 Arai teaches the use of a camera having a picture data output function; USPN 6,167,469 Safai et al is a related application to the application used in the current grounds of rejection; USPN 6,571,271 Savitzky et al teaches the use of a networked digital camera; USPN 6,636,259 Anderson et al teaches the use of a digital camera that can access the internet; USPN 6,337,712 Shio to et al teaches the use of a system for storing and utilizing picture image data recorded by a digital camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
September 15, 2004



NGOC-YEN VU
PRIMARY EXAMINER